

REMARKS/ARGUMENTS

Claims 1 and 7 to 19 remain pending. Claims 20 and 21 have been added.

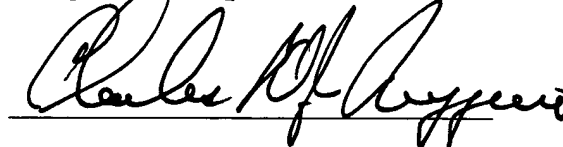
Claims 1 and 7 to 19 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,364,617 to Bush et al (the Bush patent). The Action states that the Bush patent discloses compositions for protecting skin from the harmful effects of ultraviolet radiation. The Action further states that the effects include premature aging of the skin, wrinkling and yellowing of the skin, and cracking and loss of elasticity. The action further states that the disclosed composition can be in lipstick form (col. 18, line 24) and can be applied to the lips to inhibit damage from acute or chronic exposure (Example IV).

The rejection of claims 1 and 7 to 19 under 35 U.S.C. 102(b) over the Bush patent is overcome. Independent claim 1 requires that the composition be applied at least once daily for a period of two or more weeks. The Bush patent does not disclose such an application regimen. The working examples in the instant specification showed improvement at two weeks of improvement in lip color, improvement in lip clarity, reduction in the number vertical lip lines, and reduction in the depth of vertical lip lines. The Bush patent discloses at col. 26, lines 6 to 17 that a topical composition can be applied once per day prior to UV exposure. The Bush patent does not disclose or suggest an application regimen of at least once daily for a period of two or more weeks. Analogously, with respect to new claim 21, the Bush

patent does not disclose or suggest an application regimen of at least once daily for a period of three or more weeks.

Reconsideration of claims 1 and 7 to 19 is deemed warranted in view of the foregoing, and allowance of said claims and new claims 20 and 21 is earnestly solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Charles N. J. Ruggiero", is written over a horizontal line.

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